

**IN THE UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA**

In re:

THOMAS HEALTH SYSTEM, INC., *et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 20-20007 (FWV)

(Jointly Administered)

**JOINT NOTICE OF RESERVATION OF RIGHTS OFFERED BY CLAIMANTS  
SEEKING RELIEF FROM THE AUTOMATIC STAY REGARDING POTENTIAL  
OBJECTION TO CONFIRMATION OF DEBTORS' AMENDED JOINT CHAPTER 11  
PLAN OF REORGANIZATION**

NOW COME Gary L. Workman, Kevin and Ashlee Caldwell, individually and as guardians of B.C., an infant, Beverly Eve Adams, Jane Doe, her Mother and Grandmother, Gilbert W. Sloan, Executor and Personal Representative for the Estate of Icley Wood Sloan, Judith Cayton, Meredith Huffman, Administratrix of the Estate of James O. Huffman, Kristen Patterson, Administratrix of the Estate of Mary Cae Henderson, Hilda George, Richard Johnson, and Fred J. Wood, Executor of the Estate of Judy Mae Wood, deceased (collectively referred to as "claimants seeking relief from the automatic stay")<sup>2</sup>, by and through their undersigned counsel, and hereby offer the instant joint notice regarding their collective reservation of right to

---

<sup>1</sup> The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are: Thomas Health System, Inc. (0674); Herbert J. Thomas Memorial Hospital Association (4900); Charleston Hospital, Inc. (2692); THS Physician Partners, Inc. (5947); and THM Services, Inc. (6607).

<sup>2</sup> The Movants are (i) Fred Wood, Executor of the Estate of Judy Mae Wood, Deceased (Docket Nos. 261, 402), (ii) Gary L. Workman (Docket Nos. 266, 613), (iii) Judith Cayton (Docket No. 332), (iv) Meredith Huffman, Administratrix of the Estate of James O. Huffman (Docket No. 334), (v) Kirsten Patterson, Administratrix of the Estate of Mary Cae Henderson (Docket No. 341), (vi) Hilda George (Docket No. 343), (vii) Beverly Eve Adams (Docket No. 416), (viii) Gilbert W. Sloan, Executor and Personal Representative for the Estate of Icley Wood Sloan (Docket No. 420), (ix) Kevin and Ashlee Caldwell, Individually and as Guardians of B.C., an Infant (Docket No. 461), (x) Jane Doe (Docket No. 562) and (xi) Richard Johnson (Docket No. 714).

object to *Debtors' Amended Joint Chapter 11 Plan of Reorganization* (Doc. No. 861) that was filed on August 3, 2020.

The Court has previously established an objection deadline of August 4, 2020 regarding any objection to confirmation of Debtors' Plan. During the evening hours of August 3, 2020, Debtors filed an amended plan of reorganization and a related disclosure statement. The claimants seeking relief from the automatic stay have not had an opportunity to thoroughly review and meaningfully object, if necessary, to *Debtors' Amended Joint Chapter 11 Plan of Reorganization* (Doc. No. 861) that was filed on August 3, 2020. The claimants seeking relief from the automatic stay offer the instant notice as their collective intent to do so within a reasonable time or by any related deadline established by the Court.

Dated: August 4, 2020

/s/ David B. Lunsford

Mark R. Staun (WV Bar No. 5728)  
David B. Lunsford (WV Bar No. 12555)  
Hartley Law Group, PLLC  
700 Virginia Street, East – Suite 240  
Charleston, WV 25301  
Telephone: 304-343-4100  
[mstaun@hartleylawgrp.com](mailto:mstaun@hartleylawgrp.com)  
[dlunsford@hartleygrp.com](mailto:dlunsford@hartleygrp.com)

***Counsel for Gary L. Workman***

/s/ Spencer D. Elliott

Spencer D. Elliott (WV Bar No. 8064)  
Lewis Glasser PLLC  
300 Summers Street, Suite 700  
Charleston, WV 25301  
Telephone: 304-345-2000  
[selliott@lewisglasser.com](mailto:selliott@lewisglasser.com)

Christopher D. Pence (WV Bar No. 9095)  
Hardy Pence PLLC  
10 Hale Street, 4<sup>th</sup> Floor  
Charleston, WV 25301  
Telephone: 304-345-7250  
[cpence@hardypence.com](mailto:cpence@hardypence.com)

***Counsel for Kevin and Ashlee Caldwell,  
individually and as guardians of B.C., an infant***

/s/ Jason Harwood  
\_\_\_\_\_  
Jason Harwood (WV Bar No. 9208)  
Harwood Legal, PLLC  
110 Nick Savas Drive  
Logan, WV 25601  
Telephone: 304-752-5015  
[jason@harwoodlegal.com](mailto:jason@harwoodlegal.com)

Amy C. Crossan (WV Bar No. 7150)  
Bouchillon, Crossan & Colburn, L.C.  
731 5<sup>th</sup> Avenue  
Huntington, WV 25701  
Telephone: 304-523-8451  
[acrossan@bcc-wv.com](mailto:acrossan@bcc-wv.com)

***Counsel for Beverly Eve Adams***

/s/ J. Timothy DiPiero  
\_\_\_\_\_  
J. Timothy DiPiero (WV Bar No. 1024)  
Lonnie C. Simmons (WV Bar No. 3406)  
Robert M. Bastress, III (WV Bar No. 9616)  
DiPiero Simmons McGinley & Bastress, PLLC  
604 Virginia Street, East  
Charleston, WV 25301  
Telephone: 304-342-0133  
[tim.dipiero@dbdlawfirm.com](mailto:tim.dipiero@dbdlawfirm.com)  
[lonnie.simmons@dbdlawfirm.com](mailto:lonnie.simmons@dbdlawfirm.com)  
[rob.bastress@dbdlawfirm.com](mailto:rob.bastress@dbdlawfirm.com)

***Counsel for Jane Doe, Her Mother and Grandmother  
and Gilbert W. Sloan, Executor and Personal  
Representative for the Estate of Icley Wood Sloan***

/s/ Richard D. Lindsay

Richard D. Lindsay, Esquire (WV Bar No. 10832)  
Richard D. Lindsay, M.D., J.D. (WV Bar No. 2216)  
Tabor Lindsay & Associates  
Post Office Box 1269  
Charleston, WV 25325  
Telephone: 304-344-5155  
[richlindsay@taborlindsay.com](mailto:richlindsay@taborlindsay.com)  
[drrichardlindsay@taborlindsay.com](mailto:drrichardlindsay@taborlindsay.com)

***Counsel for Judith Cayton, Meredith Huffman, Administratrix  
of the Estate of James O. Huffman, Kristen Patterson, Administratrix  
of the Estate of Mary Cae Henderson, Hilda George and  
Richard Johnson***

/s/ Thomas G. Wilson

Thomas G. Wilson (WV Bar No. 4087)  
Wilson Law Offices, PLLC  
120 Capitol Street  
Charleston, WV 25301  
Telephone: 304-345-5508  
[tom@wilsonlawpllc.com](mailto:tom@wilsonlawpllc.com)

***Counsel for Fred J. Wood, Executor of the  
Estate of Judy Mae Wood, Deceased***

**IN THE UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA**

In re:

THOMAS HEALTH SYSTEM, INC., *et al.*,  
  
Debtors.<sup>3</sup>

Chapter 11

Case No. 20-20007 (FWV)

(Jointly Administered)

**CERTIFICATE OF SERVICE**

I, DAVID B. LUNSFORD, hereby certify that, on August 4, 2020, I caused a copy of the foregoing ***JOINT NOTICE OF RESERVATION OF RIGHTS OFFERED BY CLAIMANTS SEEKING RELIEF FROM THE AUTOMATIC STAY REGARDING POTENTIAL OBJECTION TO CONFIRMATION OF DEBTORS' AMENDED JOINT CHAPTER 11 PLAN OF REORGANIZATION*** to be filed through the Court's CM/ECF system, and that copies of the same will be automatically sent to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ David B. Lunsford

David B. Lunsford (WV Bar No. 12555)

---

<sup>3</sup> The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are: Thomas Health System, Inc. (0674); Herbert J. Thomas Memorial Hospital Association (4900); Charleston Hospital, Inc. (2692); THS Physician Partners, Inc. (5947); and THM Services, Inc. (6607).